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C O N F I D E N T I A L BAGHDAD 004993

SIPDIS

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TAGS: [PGOV](#) [KDEM](#) [IZ](#)

SUBJECT: PRESIDENCY COUNCIL VETOES CITIZENSHIP LAW

REF: A. BAGHDAD 4662

[1](#)B. BAGHDAD O/I DECEMBER 10

Classified By: POLITICAL COUNSELOR ROBERT S. FORD FOR REASONS 1.4 (B) A
ND (D).

[1](#)1. (C) Kamiran Karadaghi, President Talabani's Chief of Staff, confirmed to PolOff December 9 that the Presidency Council had vetoed the Citizenship Law passed by the TNA on November 15 (reftels). In a December 4 letter, the Presidency Council notified the TNA that it had returned the bill because "paragraph (second) of Article 18 has excluded Iraqis, whose citizenship was taken away pursuant to the provisions of law no. 1 of 1950 and law no. 12 of 1951, from the right to restore it. Since this article contradicts the text of paragraph D of Article 11 of the TAL, this bill is deemed unapproved. . ." (NOTE: Paragraph D of Article 11 of the TAL states that "any Iraqi whose Iraqi citizenship was withdrawn for political, religious, racial, or sectarian reasons has the right to reclaim his Iraqi citizenship." END NOTE)

[1](#)2. (C) In a separate conversation with PolOff December 12, Karadaghi said President Talabani knew about the law before it was brought to his attention. According to Karadaghi, Talabani said the bill wasn't just discriminatory against Iraqi Jews, but also against Kurds and other nationalities. Despite pressure from Faili Kurds, whose citizenship would be recognized by the bill, Talabani said he could not allow this section (paragraph (second) of Article 18).

[1](#)3. (C) COMMENT. Although the TNA Rules of Procedure require a special session to consider the vetoed law, given the "lame duck" status of the legislature, the relative short period of time between elections and the seating of the new legislature, and the power of the Speaker to control the legislative schedule, TNA Speaker Hajim al-Hasani arguably would be acting within the scope of his authority if he did not call the TNA into session before the new Council of Representatives is convened. Al-Hasani's Chief of Staff Saifaldin Abdurrahman told PolOff December 13 that, because the Assembly already has adjourned, the Speaker does not intend to call the TNA back into session. END COMMENT
KHALILZAD